

July 13, 2022 6:00 PM
Planning and Zoning Commission
Council Chambers
13133 E. Arapahoe Road
Centennial, Colorado 80112
www.centennialco.gov

AGENDA

1	CALL	TO	ORDER
_		\cdot	UIVELIV

2 ROLL CALL

a Alternate Selection for Voting Purposes

3 CONSENT AGENDA

- a Consideration of Resolutions
- b Consideration of Other Items
- c Approval of Minutes
 - i June 22, 2022 Planning and Zoning Commission meeting minutes

4 LAND USE APPLICATIONS/PUBLIC HEARINGS

a ORDINANCE NO. 2022-O-20: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) TO ADOPT THE DOVE VALLEY RESIDENTIAL OVERLAY DISTRICT

ORDINANCE NO. 2022-O-11, DOVE VALLEY LAND LLC INITIAL ZONING (CZONE-22-00005 through 00007); and ORDINANCE NO. 2022-O-19 POTOMAC PARK REZONING (CZONE-22-00008)

5 OTHER BUSINESS

a Housing Study and Policy Development Update

This item will be presented prior to public hearings.

6 UPDATES

7 ADJOURNMENT

THE NEXT REGULAR MEETING WILL BE HELD 7/27/2022 6:00 PM

NOTICE: Persons requiring auxiliary aid or service for effective communication, or a modification of policies or procedures in order to participate in a program, service or activity of the City of Centennial, should contact the office of the ADA Coordinator at 303-754-3358 or adacoordinator@centennialcolorado.com as soon as possible but no later than 72 hours before the scheduled event.

I hereby certify that a copy of the foregoing notice of the regular meeting of the Planning and Zoning Commission was posted, by me personally, on <u>July 7, 2022</u>, at least 24 hours prior to the scheduled meeting, at the following location:

City of Centennial Civic Center 13133 East Arapahoe Road Centennial, CO 80112

By: Irean R Sanchez



MINUTES OF THE PLANNING AND ZONING COMMISSION

6:00 PM Wednesday, June 22, 2022

A Planning and Zoning Commission meeting was held on this date in the Council Chambers at 13133 E. Arapahoe Road, Centennial, Colorado. A full and timely notice of this meeting had been posted and a quorum was present.

1 CALL TO ORDER

Chair Scales called the meeting to order at 6:00 PM.

2 ROLL CALL

Those present were: Chair Scales

Commissioner Beatty Commissioner Dwiggins Commissioner Hypolite Commissioner Lee Commissioner Rewerts Commissioner Roberts

Those absent were: Commissioner Levine

Also present were: Michael Gradis, Principal Planner

Lisa Gajowski, Recording Secretary Irean Sanchez, Recording Secretary

a Alternate Selection for Voting Purposes

3 CONSENT AGENDA

- a Consideration of Resolutions
- b Consideration of Other Items
- c Approval of Minutes
 - i June 8, 2022 Planning and Zoning Commission Meeting Minutes

Commissioner Beatty moved to approve the CONSENT AGENDA as presented. Commissioner Rewerts seconded the motion.

With Commissioners Beatty, Dwiggins, Hypolite, Lee, Rewerts Roberts and Chair Scales voting AYE and none voting NAY, the motion was approved by a vote of seven (7) AYE and none (0) NAY.

4 LAND USE APPLICATIONS/PUBLIC HEARINGS

a RESOLUTION NO. 2022-PZ-R-11 – 2022 AMENDED FUTURE LAND USE MAP

Michael Gradis, Principal Planner presented and responded to questions.

Chair Scales opened the public hearing.

There being no one present wishing to speak, Chair Scales closed the public hearing.

Commissioner Lee moved to approve Resolution No. 2022-PZ-R-11, a resolution of the City of Centennial Planning and Zoning Commission approving the 2022 Amended Future Land Use Map. Commissioner Dwiggins seconded the motion.

With Commissioners Beatty, Dwiggins, Hypolite, Lee, Rewerts Roberts and Chair Scales voting AYE and none voting NAY, the motion was approved by a vote of seven (7) AYE and none (0) NAY.

5 OTHER BUSINESS

6 UPDATES

Michael Gradis, Principal Planner, gave an update.

7 ADJOURNMENT

Chair Scales adjourned the meeting at 6:22 PM.

Respectfully submitted,

Lisa J. Gajowski Recording Secretary



Staff Report

TO: Planning and Zoning Commission

THROUGH: Neil Marciniak, Interim Director, Community and Economic Development

Jenny Houlne, Deputy Community Development Director

Michael Gradis, AICP, Principal Planner Jill Hassman, Senior Assistant City Attorney

FROM: David King, Development Services Specialist

MEETING DATE: July 13, 2022

SUBJECT: ORDINANCE NO. 2022-O-20: AN ORDINANCE OF THE CITY

COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) TO ADOPT THE DOVE VALLEY RESIDENTIAL OVERLAY

DISTRICT AND DECLARING AN EMERGENCY

1. Executive Summary:

City Staff is proposing amendments to the LDC in order to ensure a minimum level in diversity of housing within new residential developments in the Dove Valley area and to improve predictability for the City and the development community. New residential uses within the City are guided through the development standards found in the Land Development Code, Article 3-4. There are standards for four (4) zone districts detailed in Article 3-4, including Agriculture (AG), Suburban Residential (RS), Auto-Urban Residential (RA), and Urban Residential (RU). The City of Centennial's housing stock consists of 78% single family-detached homes, and it is an expressed desire and direction of City Council to seek opportunities to diversify housing opportunities within the City.

The LDC contains a Traditional Neighborhood Development (TND) use that outlines a pathway for a residential development to provide a diversity of housing options. There is no area within the City where the TND currently exists, where it is required and no mechanism, at this time, by which the City can require an applicant to implement a TND. The amendment discussed in this Staff Report focuses on the Dove Valley area, the RU zone district, and the TND standards. The proposed Dove Valley Residential (DVR) Overlay District would require any property zoned RU within the Dove Valley area to implement a TND. Properties zoned RU within the DVR Overlay will produce a development that can cater to a variety of residents through a diversity in housing sizes and types and a mix of lot sizes with cohesive building design and layout.

In addition to amending the LDC to require a TND, there are two modifications City Staff recommends to the TND standards. The modifications include a change in the number of housing types required based on TND project size and a change to the permitted height of multifamily buildings within a TND. These amendments are aligned with the City's desire for an increased diversity in housing options and are based on City Staff review and property owner/developer feedback on how many housing types can realistically be developed on a given site.

2. Recommendation:

Staff recommends that the Planning and Zoning Commission recommend <u>approval</u> of Ordinance No. 2022-O-20 to City Council.

3. Background:

The City has been engaged in a housing study to explore housing costs and availability in the City. The study seeks to understand the entire spectrum of housing issues, provide definition to the various housing needs, and identify priorities that can inform future housing policy within the City. While the study is ongoing, a clear consensus has emerged from the community and from City Council that there is a desire for more housing options and a diversity of housing offerings in the City than is presently offered and permitted. Today, approximately 78% of the housing stock in the City is single-family housing. The City and its partners have conducted community outreach throughout the housing study and specifically on housing diversity. Some of the feedback the City has received emphasizes the need for more housing options and an increase in housing types:

- "Centennial needs more housing options than solely single-family homes. It is environmentally, socially, and financially unsustainable to keep having these sprawling suburban neighborhoods. Most of the available housing in the area is very large single-family homes but there are a lot of people that don't want to have to maintain that much house or yard. It would be nice to have more options of homes that are in the 1,500-2,000 sq ft range. This could be achieved by infilling existing single-family neighborhoods with duplexes, building smaller house on smaller lots, and by building new complexes of townhomes and condos. And there should be units available to own, not just rental units. Duplexes, townhomes, and condos don't have to just be the option that people settle for when they can't afford a single-family home." (Excerpt)
- "If I was to suggest additional housing, it would be for carefully planned communities of high-quality townhomes and/or very small, high-quality, single-family homes all with sustainable landscaping and integrated parks and trails." (Excerpt)
- I'm an empty nester seeking less square footage and yard responsibilities. It's single family or apartment living. There's no creative, quality neighborhood options with a mix of housing types."
- "I would like to see more of multiple of the housing options duplexes or triplexes, townhouses, and multifamily apartments and condominiums."
- "I live in a single family detached home, but I understand that not everyone can afford a home of this size. It would be really good for younger folks, or older persons looking into downsizing, to have more multifamily apartments and condos AND townhomes."

(Via public comments received by the Housing Study team through June 20, 2022 at centennialco.gov/housing)

The City has identified a need for a diversity in housing options; the logical next question is how can the City cultivate this desired diversity? What types of housing options are already permitted by the LDC?

6 Page 2 of 5

Generally, the Land Development Code requires new residential projects, including new development and redevelopment, to be located within the following three (3) zone districts:

- 1. Suburban Residential (RS),
- 2. Auto-Urban Residential (RA), and
- 3. Urban Residential (RU).

These zone districts within the redevelopment/new development classification are generally intended to provide for the development of residential districts with multiple housing types and densities, with RS the least dense and RU the densest. The LDC describes these zone districts as providing developments with multiple housing types but there is no requirement for a project to implement multiple housing types.

Section 12-3-403 of the LDC outlines the various housing types that can be selected for redeveloped or newly developed areas while meeting the standards of the applicable zone district. Permitted residential uses in the RU zone district are single-family detached, single-family attached, multifamily, Traditional Neighborhood Development, and Continuing Care Neighborhood. The RU zone district does not require for multiple types to be included on a single project. A developer has the ability to construct a project of only single-family detached, for example, or only multifamily. The only use classification under RU that specifically contemplates a variety of housing types is the TND.

The LDC defines Traditional Neighborhood Development as "development that consists of a variety of residential lot sizes and more than one housing type, along with neighborhood supportive nonresidential development, designed so that its internal streets tend to give equal or greater dignity to the pedestrian compared to the automobile." The TND standards are contained within Divisions 3-4 and 3-5 of the LDC. Depending on the number of units in a project, the TND standards require a certain number of housing types, regulated by minimum and maximum percentages (Table 12-3-403). Division 3-5 outlines the housing palette permitted in a TND, ranging from single-family detached to townhouses to multifamily buildings. In addition to a diversity of housing types, the TND standards require a variety of lot sizes. The combination of a variety of housing types and lot sizes means that a development implementing a TND will function as a unique neighborhood with diversity in housing options, including type and size. A TND is required to provide a Pattern Book, as outlined in Sec. 12-14-603, that addresses the design and arrangement of individual buildings or dwellings. The Pattern Book is intended to ensure an attractive and harmonious development by providing a palette of development styles and materials. The Pattern Book is not specific to the TND standards, but the Pattern Book associated with a TND project would include the housing types selected from the housing palette and related design information.

The TND is a permitted use in the RU and RA zone districts but is not required. It is up to the individual developer to determine if their project will follow the TND standards and provide housing diversity. There is no existing mechanism for the City to require housing diversity for a project or to require the implementation of a TND. A property zoned RU has a menu of development options, as noted above, leading to unpredictable outcomes for the City, the community, and the applicant when a property is zoned RU. A project with housing diversity is a possibility but not a guarantee.

In order to improve predictability for both the development community and the City and to generate the desired housing diversity, Staff is proposing the creation of an overlay district within Dove

7 Page 3 of 5

Valley. The DVR Overlay District boundary is included as Attachment 1 to this staff report. The DVR Overlay District will not be applicable to any residential site plans within the boundary approved by the City prior to August 1, 2022. As discussed above, the TND standards require a mix of housing types, lot sizes, and building design. Properties zoned RU within the DVR Overlay will produce a development that can cater to a variety of housing needs by providing a diversity in housing sizes and types and a mix of lot sizes with cohesive building design and layout.

In addition to the creation of the DVR Overlay, Staff is proposing a modification to the TND standards specific to projects located within the DVR Overlay. The existing standards for number of housing types are found in Table 12-3-403. The proposed amendment exempts TNDs within the DVR Overlay from the standards in Table 12-3-403, instead requiring that a minimum of three (3) housing types be included with a minimum of 20% of any housing type. These changes are applicable only to TNDs within the DVR Overlay. This change is consistent with the desire to cultivate a diversity of housing while maintaining quality in both design and development, and buildability.

The additional modification to the TND standards is applicable only to multifamily buildings. The existing standards in Table 12-3-507 restrict the height of multifamily buildings to 45 feet. The amendment changes the height restriction to 50 feet, in line with other zone districts in the City that permit multifamily. This proposed change is a modification to the existing TND standards in response to market conditions as understood through conversations with the development community and Staff research.

The full text of the amendment is included as **Attachment 2** to this staff report.

4. Alternatives:

The Planning and Zoning Commission may:

- Recommend modifications to the proposed LDC amendments to City Council;
- Recommend denial of the proposed LDC amendments to City Council; or
- Continue the public hearing for more information.

5. Fiscal Impact:

There is not direct fiscal impact to the City that would result from the proposed amendment to the LDC.

6. Next Steps:

The Planning and Zoning Commission's recommendation regarding the proposed DVR Overlay District LDC amendments will be brought to City Council for consideration during a public hearing.

8 Page 4 of 5

7. Suggested Motions:

Suggested Motion for Approval (This is the motion recommended by Staff):

I MOVE TO RECOMMEND APPROVAL OF ORDINANCE NO. 2022-O-20, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) TO ADOPT THE DOVE VALLEY RESIDENTIAL OVERLAY DISTRICT

Suggested Motion for Denial (This is the motion not recommended by Staff):

I MOVE TO RECOMMEND DENIAL OF ORDINANCE NO. 2022-O-20, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) TO ADOPT THE DOVE VALLEY RESIDENTIAL OVERLAY DISTRICT

8. Attachments:

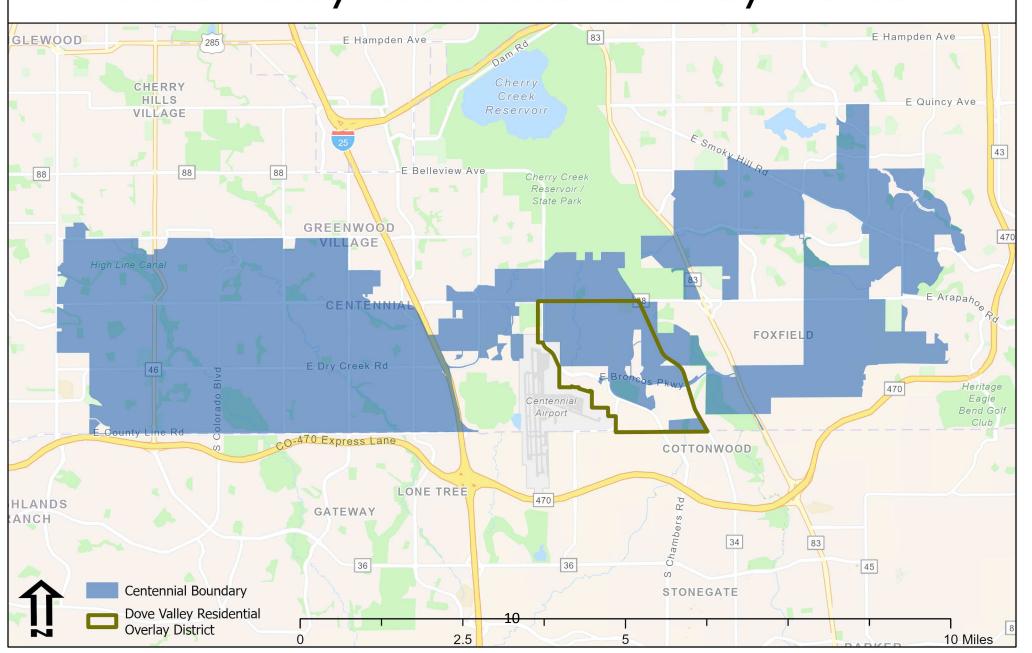
Attachment 1: Dove Valley Residential Overlay District Map

Attachment 2: Ordinance No. 2022-O-20

9 Page 5 of 5



Dove Valley Residential Overlay District



CITY OF CENTENNIAL, COLORADO

ORDINANCE NO. 2022-O-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE (LAND DEVELOPMENT CODE) TO ADOPT THE DOVE VALLEY RESIDENTIAL OVERLAY DISTRICT AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Article 23, Title 31 of the Colorado Revised Statutes, the City of Centennial ("City") has authority to regulate the development of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, the City Council adopted the Land Development Code ("LDC") by enactment of Ordinance No. 2010-O-13 and Ordinance No. 2011-O-14; and

WHEREAS, the LDC is codified as Chapter 12 of the Centennial Municipal Code; and

WHEREAS, following a public hearing, the City of Centennial Planning and Zoning Commission recommended City Council approval of proposed changes to the LDC which relate to the addition of the Dove Valley Residential ("DVR") Overlay District which would apply to properties zoned Urban Residential (RU) located within the area of Dove Valley as more specifically set forth in the attached map labeled as Appendix I; and

WHEREAS, the proposed changes are intended to best coordinate land uses associated with existing and future development in a manner that is responsive to landowners' goals of development and the City's goals of creating a stable and productive residential and business community within Dove Valley; and

WHEREAS, in conformance with the LDC, the public hearing before the City Council was properly noticed by publication in *The Centennial Citizen*; and

WHEREAS, the City Council has determined that the adoption of this Ordinance is legislative in nature and will further the public health, safety and welfare of the residents of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, ORDAINS:

- <u>Section 1</u>. The foregoing recitals are affirmed and incorporated herein by this reference as findings of the City Council.
- <u>Section 2</u>. Section 12-2-201(D), *Overlay Zoning Districts*, shall be amended to add a new subsection 12-2-201(D)(3) entitled Dove Valley Residential Overlay District, which shall read in full as follows:

- 3. Dove Valley Residential Overlay District. The Dove Valley Residential ("DVR") Overlay District is established to require a diversity of housing types on property within Dove Valley zoned Urban Residential (RU). See Appendix I for map of the area of the DVR Overlay District. The DVR Overlay District is subject to the development standards of Divisions 3-4 and 3-5. The DVR Overlay District requirements shall not be applicable to residential projects that received all necessary final approvals by the City prior to August 1, 2022.
- <u>Section 3.</u> Table 12-2-302, concerning Residential and Predominately Residential Mixed-Use Neighborhoods, shall be amended to reference and link to Sec. 12-3-401 under Additional Standards. In addition, Table 12-2-302 shall be amended to add an annotation for Table Note 2 next to the "P" in the Traditional Neighborhood Development row within the RU column. Table Note 2 shall read in full as follows: "Subject to the requirements of the Dove Valley Residential Overlay District."
- Section 4. Table 12-3-401 shall be amended to add an annotation for Table Note 1 next to Traditional Neighborhood Development under the RU section of the table. Table Note 1 shall read in full as follows: "Areas zoned RU within the Dove Valley Residential Overlay District are required to implement a Traditional Neighborhood Development."
- **Section 5.** Section 12-3-401 shall be amended to add a new subsection 12-3-401(D), entitled *Dove Valley Residential Overlay District*, which shall read in full as follows:
 - D. *Dove Valley Residential Overlay District*. Properties subject to the Dove Valley Residential Overlay must implement a Traditional Neighborhood Development. The Traditional Neighborhood Development Standards are set out in Sections 12-3-402, 403 and Division 3-5.
- **Section 6.** Section 12-3-403, *Mix of Housing Types*, shall be amended to add a new subsection 12-3-403(D), entitled *Dove Valley Residential Overlay District*, which shall read in full as follows:
 - D. Dove Valley Residential Overlay District. A Traditional Neighborhood Development within the Dove Valley Residential Overlay District shall be exempt from the requirements within Table 12-3-403, Mix of Housing Types, and instead must include a minimum of three (3) housing types as set out in Division 3-5, Housing Palette, regardless of project size with a minimum percentage of any one (1) housing type being 20 percent.
- <u>Section 7.</u> Table 12-3-507, *Multiplex and Multi-Family Lot and Building Standards*, shall be amended by increasing the maximum height for Multifamily from 45 feet to 50 feet.
- **Section 8.** Appendix I of the LDC shall be amended to add the map depicting the boundaries of the Dove Valley Overlay District.
- <u>Section 9.</u> <u>Minor Edits, Corrections and Additions</u>. The Community Development Director shall be authorized to make minor typographical, immaterial, or grammatical corrections or additions to the Land Development Code, including but not limited to correcting spelling errors and adding, removing, or supplementing materials that do not materially change the meaning or

City of Centennial Ordinance 2022-O-20 Page 3

intent of the Land Development Code, without City Council approval, provided that the Community Development Department shall maintain full and complete records of all such edits, additions, and corrections made to the Land Development Code.

<u>Section 10.</u> <u>Severability.</u> Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 11. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

<u>Section 12.</u> <u>Emergency Declared; Effective Date.</u> The City Council hereby legislatively declares that the passage of this Ordinance is necessary for the immediate preservation of the public peace, health or safety. Upon passage by a supermajority of City Council members in office as required by Section 7.6 of the Centennial Home Rule Charter (¾ of all members in office or 7 or more votes of the 9 member Council), this Ordinance shall become effective immediately upon adoption.

INTRODUCED, READ, AND ORDERED THE CITY OF CENTENNIAL, COLORADO, UPO AND PASSED AT ITS REGULAR MEETING HE	· · · · · · · · · · · · · · · · · · ·
	CITY OF CENTENNIAL
	By:Stephanie Piko, Mayor
Approved as to Form:	
For City Attorney's Office	
I hereby certify that the above Ordinance was Centennial at its meeting of, 2022 a The Centennial Citizen newspaper on accordance with Section 2-1-110 of the Municipal C	, 2022, and in full on the City web site in

13

ATTEST:

City of Centennial Ordinance 2022-O-20 Page 4

SEAL

	By:
	By: City Clerk or Deputy City Clerk
ORDERED PUBLISHED BY TITLE ONI AND IN FULL ON THE CITY WEB SITI THE MUNICIPAL CODE BY THE CIT COLORADO, UPON A MOTION DUL	APPROVED WITH AMENDMENTS, IF ANY, AND LY, IN <i>THE CENTENNIAL CITIZEN</i> NEWSPAPER E IN ACCORDANCE WITH SECTION 2-1-110 OF LY COUNCIL OF THE CITY OF CENTENNIAL, LY MADE, SECONDED AND PASSED AT ITS [5, 2022, BY A VOTE OF IN
	CITY OF CENTENNIAL
	By: Stephanie Piko, Mayor
City of Centennial at its meeting of	nance was finally adopted by the City Council of the, 2022, and ordered published by title only, aper on, 2022 and in full on the 1-110 of the Municipal Code.
SEAL	ATTEST:
	By: City Clerk or Deputy City Clerk



Staff Report

TO: Planning and Zoning Commission

THROUGH: Neil Marciniak, Interim Director, Community & Economic Development

Jenny Houlne, Deputy Community Development Director

Michael Gradis, Principal Planner

Jill Hassman, Senior Assistant City Attorney

FROM: David King, Development Services Specialist

MEETING DATE: July 13, 2022

SUBJECT: ORDINANCE NO. 2022-O-11, DOVE VALLEY LAND LLC INITIAL

ZONING (CZONE-22-00005 through 00007 AND ORDINANCE NO.

2022-O-19 POTOMAC PARK REZONING (CZONE-22-00008)

LOCATION: Map of Subject Property

1. Executive Summary:

The City of Centennial (the "Applicant") recommends the initial zoning for three (3) parcels totaling approximately 111 acres owned by Dove Valley Land, LLC (DVL) and the rezoning of a parcel of approximately 44 acres owned by the City of Centennial (collectively, the "Subject Property") to be within the Urban Residential (RU), Public Open Space and Recreation (OSR), and Business Park 50 (BP $_{50}$) zone districts. The City seeks these zoning designations to promote alignment with Centennial NEXT and the City's long-range land use strategies. Each zoning designation requires a separate land use case; there are four (4) separate land use cases:

- Dove Valley Land, LLC (Parcel C) CZONE-22-00005
 - Land generally west of the 100-year floodplain
- Dove Valley Land, LLC (Parcel B) CZONE-22-00006
 - Land generally within the 100-year floodplain and the Restricted Development Area of the Airport Influence Area
- Dove Valley Land, LLC (Parcel A) CZONE-22-00007
 - Land generally east of the 100-year floodplain and outside the Restricted Development Area
- Potomac Park CZONE-22-00008

NOTE: Parcel designations are taken from a boundary survey completed of the area and are intended to guide zoning designation prior to subdivision process.

Staff recommends that the Subject Property be zoned to three (3) separate zone districts:

- Urban Residential (RU)
 - o Parcel C (CZONE-22-00005)
- Public Open Space and Recreation (OSR)
 - o Parcel B (CZONE-22-00006)
- Business Park 50 (BP₅₀)
 - o Parcel A and Potomac Park (CZONE-22-00007 and CZONE-22-00008)

Parcels A, B, and C of the Subject Property were zoned Mixed Use (MU) under Arapahoe County and were included in the Dove Valley Regional Park/Cherry Creek Innovation Campus (DVRP/CCIC) Annexation, effective May 23, 2022. These parcels were not initially zoned at the time of annexation and were continued to a date uncertain. The fourth parcel is currently zoned Public Open Space and Recreation (OSR) under the City's Land Development Code and is owned by the City.

2. Recommendation:

Staff recommends that the Planning and Zoning Commission recommend <u>approval</u> of Ordinance No. 2022-O-11 for the initial zoning of a certain portion of the Subject Property to be designated as Urban Residential (RU) for case CZONE-22-00005, Public Open Space and Recreation (OSR) for case CZONE-22-00006, and Business Park 50 (BP $_{50}$) for case CZONE-22-00007.

Staff recommends that the Planning and Zoning Commission recommend <u>approval</u> of Ordinance No. 2022-O-19 for the rezoning of a certain portion of the Subject Property to Business Park 50 (BP₅₀) for case CZONE-22-00008.

3. Background:

The Subject Property consists of approximately 159 acres across four (4) parcels. Three of the four parcels of the Subject Property were included in the Dove Valley Regional Park/Cherry Creek Innovation Campus (DVRP/CCIC) Annexation, effective May 23, 2022. Staff recommended that the initial zoning on the three (3) parcels be continued at the March 23, 2022 Planning and Zoning Commission public hearing. The DVL portion of the Subject Property is a uniquely positioned property as it is one of the few remaining properties in the Dove Valley area where residential development is not restricted due to deed restrictions and is a significant area of vacant property. The DVL portion has several site constraints, namely Dove Creek. Dove Creek is within the 100-year floodplain and bisects the property from north to south. An additional constraint on the DVL site is the Restricted Development Area of the Centennial Airport Influence Area; the presence of the RDA limits potential uses and zone districts. These constraints were taken into consideration and factored in the initial zoning designations.

The City was in contact with the DVL property owner during the annexation process to discuss zoning and future land uses on the DVL parcels. The City continues to engage with the DVL property owner during this initial zoning process with the intent of finding alignment between the City's future land use vision for the area and the property owner's development plans. In general, the City and DVL property owner have found alignment in allowing for a variety of housing types on the majority of the property.

16 Page 2 of 10

The fourth parcel, known as Potomac Park, was purchased by the City in 2010 and the City continues to maintain ownership. Potomac Park is currently zoned OSR under the City's Land Development Code (LDC). The City is initiating the rezoning plan for Potomac Park as a result of policy decisions within the City and with partner entities that make a park/open space at Potomac Park unlikely. The area is served by multiple parks including Centennial Center Park which is owned and operated by the City. At approximately one mile from Potomac Park the City continues to expand and invest in Centennial Center Park. Additionally, Dove Valley Regional Park, owned and operated by Arapahoe County, is less than one-quarter mile from Potomac Park and continues to expand passive and recreational facilities funded by Arapahoe County and the City of Centennial. When considered within its surrounding context, Potomac Park is best utilized through the types of development permitted in the BP₅₀ zone district.

The establishment of initial zoning upon annexation is legislative in nature and is not specifically addressed in the LDC. Instead, Section 12-14-604(E) of the LDC is the most applicable as it provides approval standards for rezonings considered by the Planning and Zoning Commission and City Council. Section 12-14-604(E) states that all rezoning applications shall further the policy criteria listed below. While not all of the policy criteria are directly applicable for this initial zoning designation, the criteria do provide guidance and a framework to evaluate the initial zoning designation of annexed property. This Staff Report discusses the initial zoning for Parcels A-C in the Subject Property, as well as the rezoning of Potomac Park. The approval standards in Section 12-14-604(E) are applicable for both processes.

Initial Zoning for Dove Valley Land, LLC

Parcel C

The portion of the Subject Property referred to as DVL Residential (CZONE-22-00005) is approximately 77 acres. The City is seeking to initially zone this property Urban Residential (RU). As this property is within the Dove Valley Residential Overlay District (Ordinance No. 2022-O-20), a Traditional Neighborhood Development is required. (NOTE: official legal description is TBD prior to City Council consideration.)

Parcel B

The portion of the Subject Property referred to as Dove Creek (CZONE-22-00006) is approximately 9 acres. The City is seeking to initially zone this property Public Open Space and Recreation (OSR). Dove Creek includes the 100-year floodplain and land affected by the Restricted Development Area (RDA) of the Centennial Airport Influence Area (AIA). Per Section 12-4-402 of the Land Development Code, property within the RDA cannot be zoned to a zone district that permits a noise-sensitive use, such as residential, as defined by the LDC. (NOTE: official legal description is TBD prior to City Council consideration.)

Parcel A

The portion of the Subject Property referred to as Parcel A (CZONE-22-00007) is approximately 25 acres. The City is seeking to initially zone this property Business Park 50 (BP $_{50}$). Parcel A is located west of Dove Creek on the Subject Property and is partially within the RDA. (NOTE: official legal description is TBD prior to City Council consideration.)

17 Page 3 of 10

Rezoning Plan for Potomac Park

Potomac Park

The portion of the Subject Property referred to as Potomac Park (CZONE-22-00008) is approximately 44 acres. The City is seeking to rezone this property from Public Open Space and Recreation (OSR) to Business Park 50 (BP₅₀).

Policy Criteria for the Establishment of Initial Zoning Associated with Annexations and Rezoning Applications:

As required under Table 12-14-311 of the LDC, the public hearings before Planning and Zoning Commission was properly noticed, including newspaper notice, and mailed notice to adjacent property owners at least 14 days prior to the public hearings. Therefore, the Planning and Zoning Commission has jurisdiction to consider the applications.

An initial zoning and a rezoning require a recommendation by the Planning and Zoning Commission and approval by City Council. The Planning and Zoning Commission must consider evidence presented at the public hearings and evaluate the proposed initial zoning and rezoning against the approval standards set forth in Section 12-14-604(E), *Approval Standards*, of the LDC and listed below.

<u>12-14-604(E)(1)</u> – Direct implementation of the Comprehensive Plan, Centennial NEXT, or an adopted Sub-Area Plan, or support for the implementation of such plans, for example, by providing for supportive land uses or intensities in the area of a Sub-Area Plan.

The amended 2022 Future Land Use Map designations for the Subject Property align with the goals of the proposed zoning. The proposed zoning is consistent with the Future Land Use Map and accompanying Spotlight Area. The annexation (including the establishment of initial zoning), rezoning, and subsequent development of the Subject Property is consistent with the following goals and objectives of the Comprehensive Plan and Central Centennial Boundary Plan:

Centennial NEXT

Our NEXT Places

PLACES – 4. Provide opportunities for new housing options that meet market trends and the evolving needs of current and future residents.

PLACES - 8. Consider annexations that meet the future needs and fulfill the long-term goals of the City.

8a. Evaluate costs and benefits of annexing new areas into the City.

18 Page 4 of 10

Our NEXT Economy

ECONOMY - 3. Further diversify Centennial and Denver South's economy.

3a. Target unique businesses that increase Centennial's sense of place through business assistance, marketing, and consideration of incentives.

ECONOMY – 4. Attract and develop an exceptional workforce equipped to adapt to a changing economy.

4a. Investigate housing demand with specific consideration given to identifying housing types needed to attract and retain the current and future targeted workforce.

ECONOMY – 6. Retain and expand the City's tax base and revenue sources by repositioning Centennial's retail centers to respond to the ever-changing retail environment and consumer demands.

6d. Consider annexations that expand the City's tax base and revenue sources.

Our NEXT Community

COMMUNITY – 2. Incorporate additional open space and recreational opportunities within the City.

2a. Encourage the use of the City's parks for health and wellness.

2c. Encourage all new development and redevelopment to provide connections to existing or planned open space, trails, parks, recreation facilities, and other public places (Ex: schools and libraries) within close proximity to development, where practical.

Central Centennial Boundary Plan - Land Use Goals and Policies

Goal LU 2: Continue to Promote the area as a Major Employment Center for the Region

Policy LU 2.1 – Promote Employment Uses that Create Primary Jobs
Provide for concentrated areas of employment facilities. This may include
corporate offices, research and development facilities, service commercial uses,
and educational facilities.

Goal LU 7: Incorporate Open Space and Recreational Activities within Development Areas

 Policy LU 7.1 – Recreational Uses Incorporate recreational uses and activities throughout the area, to meet the needs of residents and employees. Provide convenient and direct access to these recreational activities.

19 Page 5 of 10

<u>12-14-604(E)(2)</u> – Recognition of the limitations of existing and planned infrastructure, by thorough examination of the availability and capability of water, sewer, drainage, and transportation systems to serve present and future land uses.

To the City's knowledge, the availability and capacity of the existing water, sewer, drainage, and transportation is adequate to serve present and future land uses. The initial zoning and rezoning of the Subject Property will not cause there to be an inefficient or inadequate provision of these public services. Modifications to the existing water, sewer, drainage, transportation infrastructure, or other public services required by future development of the Subject Property will be contemplated as part of any future Site Plan application. Dove Valley was platted and created with the understanding that all parcels would be developed.

<u>12-14-604(E)(3)</u> – Assurance of compatibility between the proposed development, surrounding land uses (existing or planned), and the natural environment.

The initial zoning and rezoning of the Subject Property are consistent and compatible with the Comprehensive Plan and any future uses adjacent to the Subject Property. The area surrounding the Subject Property consists of existing office, industrial, aviation, commercial, residential, and recreational land uses, together with vacant parcels.

12-14-604(E)(4) – The efficient and adequate provision of public services.

Adequacy of public services will be verified during the review of any future proposal for development. It is anticipated that public services such as fire, water, and sanitation will be available and adequate to serve future development at this location.

<u>12-14-604(E)(5)</u> – Enhancement of convenience for the present and future residents of the City by ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another.

Adoption of the initial zoning and rezoning of the Subject Property will protect and promote the existing development pattern and character of the area, allowing compatible uses and structures that will create employment opportunities within the City.

<u>12-14-604(E)(6)</u> – Protection of public health, safety, and welfare against natural and manmade hazards which include, but are not limited to, traffic, noise, water pollution, airport hazards, and flooding.

The initial zoning and rezoning will not result in a discernible impact to the public health, safety, and welfare. The initial zoning and rezoning of the Subject Property will not generate traffic or noise incompatible with the surrounding uses and existing road network since the Subject Property is currently vacant.

As part of any future development of the Subject Property, applications will have to demonstrate compliance with the LDC standards, including but not limited to traffic, noise, water pollution, airport hazards, and flooding. The Subject Property is within the Airport

20 Page 6 of 10

Influence Area (AIA) and will comply with all applicable Centennial Airport and Federal Aviation Administration requirements and regulations.

<u>12-14-604(E)(7)</u> – Accessibility within the proposed development and appropriate connectivity or buffering or both between the development and existing adjacent uses.

As part of any future development of the Subject Property, applications will have to demonstrate compliance with the LDC standards to include adequate pedestrian and vehicular connections to public rights-of-way, and to/between adjacent parcels.

<u>12-14-604(E)(8)</u> — Minimization of disruptions to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements. Areas with significant natural resources shall not generally be rezoned to districts that allow development that would tend to degrade the resources unless adequate conditions are put in place to protect the resources.

There are no relevant physiographic features that are known to exist on the Subject Property that will be disrupted as a result of the initial zoning or rezoning applications or any future modifications to the site.

<u>12-14-604(E)(9)</u> – Assurance that the amenities and uses to be provided tend to enhance the quality of life in the area, by creating a comfortable and aesthetically enjoyable environment through conventions that include, but are not limited to:

- a. The creation of landscaped open areas;
- b. The establishment of high-quality mixed-use centers that are accessible to residents of abutting neighborhoods;
- c. The establishment of recreational areas; or
- d. The creation of employment centers or large-scale retail or mixed-use centers in appropriate locations.

The initial zoning of Parcel B to OSR would allow for an increase in landscaped open areas to the benefit of the adjacent residential zone district. The initial zoning of Parcel C to RU will permit high-quality mixed-use areas at appropriate locations. The initial zoning of Parcel A and rezoning of Potomac Park to BP_{50} will increase employment opportunities and benefit the City long-term.

4. Alternatives:

As this is a guasi-judicial action, Planning and Zoning Commission has the following alternatives:

- 1. Recommend approval, with additional conditions, the initial zoning to City Council based on specific findings of fact made at the public hearings; or
- 2. Recommend denial of the initial zoning to City Council based on specific findings of fact made at the public hearings; or
- 3. Continue the public hearings for additional information.

5. Fiscal Impact:

21 Page 7 of 10

A recommendation of approval for the initial zoning and rezoning will not have any direct fiscal impact on the City.

6. Next Steps:

Following the Planning and Zoning Commission's recommendation, the initial zoning and rezoning will be placed on the August 1, 2022 City Council meeting agenda for the public hearings. If the initial zoning and rezoning are approved, the Official Zoning Map of the City will be amended to reflect the Subject Property's inclusion in the City with the RU, OSR, and BP₅₀ zone district classifications.

7. Previous Actions:

On March 23, 2022, the Planning and Zoning Commission recommended that the Initial Zoning for the Dove Valley Land, LLC property would be decided at a date uncertain. The annexation process allows municipalities up to 90 days following the **effective date** of the annexation to zone property annexed into the City. The DVRP/CCIC Annexation was effective on May 23, 2022.

The City purchased Potomac Park on 2010 and zoned the property OSR.

8. Suggested Motions:

ORDINANCE NO. 2022-O-11 - Dove Valley Land LLC Initial Zoning (CZONE-22-00005, 00006, 00007)

<u>SUGGESTED MOTION FOR INITIAL ZONING APPROVAL (THIS IS THE MOTION RECOMMENDED BY STAFF):</u>

I MOVE THAT ORDINANCE 2021-O-11, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO APPROVING INITIAL ZONING OF PROPERTY WITHIN THE DOVE VALLEY REGIONAL PARK/CHERRY CREEK INNOVATION CAMPUS ANNEXATION, KNOWN AS THE DOVE VALLEY LAND PROPERTY, FROM ARAPAHOE COUNTY MIXED USE TO CITY OF CENTENNIAL URBAN RESIDENTIAL (RU), PUBLIC OPEN SPACE AND RECREATION (OSR) AND BUSINESS PARK 50 (BP50) UNDER THE LAND DEVELOPMENT CODE, AMENDING THE OFFICIAL ZONING MAP, AND DECLARING AN EMERGENCY, BE RECOMMENDED TO CITY COUNCIL FOR APPROVAL BASED ON THE PLANNING AND ZONING COMMISSION'S FINDING THAT THE PROPOSED ZONING SATISFIES THE APPROVAL STANDARDS SET FORTH IN SECTION 12-14-604(E) OF THE LAND DEVELOPMENT CODE, AS SUMMARIZED IN THE STAFF REPORT AND RECOMMENDATION DATED JULY 13, 2022.

SUGGESTED MOTION FOR INITIAL ZONING DENIAL* (NOT RECOMMENDED BY STAFF):

I MOVE THAT ORDINANCE 2021-O-11, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO APPROVING INITIAL ZONING OF PROPERTY WITHIN THE DOVE VALLEY REGIONAL PARK/CHERRY CREEK INNOVATION CAMPUS ANNEXATION, KNOWN AS THE DOVE VALLEY LAND PROPERTY, FROM ARAPAHOE COUNTY MIXED USE TO CITY OF CENTENNIAL URBAN RESIDENTIAL (RU), PUBLIC OPEN

22 Page 8 of 10

SPACE AND RECREATION (OSR) AND BUSINESS PARK 50 (BP50) UNDER THE LAND DEVELOPMENT CODE, AMENDING THE OFFICIAL ZONING MAP, AND DECLARING AN EMERGENCY, BE RECOMMENDED TO CITY COUNCIL FOR APPROVAL FOR DENIAL BASED ON THE FOLLOWING FINDINGS OF FACT:

THE REQUEST DOES NOT MEET ALL OF THE APPROVAL STANDARDS SET FORTH IN SECTION 12-14-604(E) OF THE LAND DEVELOPMENT CODE, INCLUDING, BUT NOT LIMITED TO:

*In the event Planning and Zoning Commission seeks to recommend denial of the initial zoning, Staff recommends that the Commission consult with the City Attorney prior to making a motion.

ORDINANCE NO. 2022-O-19 - Potomac Park Rezoning (CZONE-22-00008)

<u>SUGGESTED MOTION FOR REZONING PLAN APPROVAL (THIS IS THE MOTION RECOMMENDED BY STAFF):</u>

I MOVE THAT ORDINANCE 2021-O-19, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO REZONING CERTAIN PROPERTY LOCATED SOUTH OF EAST FREMONT AVENUE, WEST OF SOUTH BLACKHAWK STREET, EAST OF SOUTH POTOMAC STREET, AND NORTH OF EAST BRONCOS PARKWAY FROM PUBLIC OPEN SPACE AND RECREATION (OSR) TO BUSINESS PARK 50 (BP50) UNDER THE LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP, BE RECOMMENDED TO CITY COUNCIL FOR APPROVAL BASED ON THE PLANNING AND ZONING COMMISSION'S FINDING THAT THE PROPOSED ZONING OF BUSINESS PARK 50 (BP50) SATISFIES THE APPROVAL STANDARDS SET FORTH IN SECTION 12-14-604(E) OF THE LAND DEVELOPMENT CODE, AS SUMMARIZED IN THE STAFF REPORT AND RECOMMENDATION DATED JULY 13, 2022.

SUGGESTED MOTION FOR REZONING PLAN DENIAL* (NOT RECOMMENDED BY STAFF):

I MOVE THAT ORDINANCE 2021-O-19, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO REZONING CERTAIN PROPERTY LOCATED SOUTH OF EAST FREMONT AVENUE, WEST OF SOUTH BLACKHAWK STREET, EAST OF SOUTH POTOMAC STREET, AND NORTH OF EAST BRONCOS PARKWAY FROM PUBLIC OPEN SPACE AND RECREATION (OSR) TO BUSINESS PARK 50 (BP50) UNDER THE LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP, BE RECOMMENDED TO CITY COUNCIL FOR DENIAL BASED ON THE FOLLOWING FINDINGS OF FACT:

THE REQUEST DOES NOT MEET ALL OF THE APPROVAL STANDARDS SET FORTH IN SECTION 12-14-604(E) OF THE LAND DEVELOPMENT CODE, INCLUDING, BUT NOT LIMITED TO:

23 Page 9 of 10

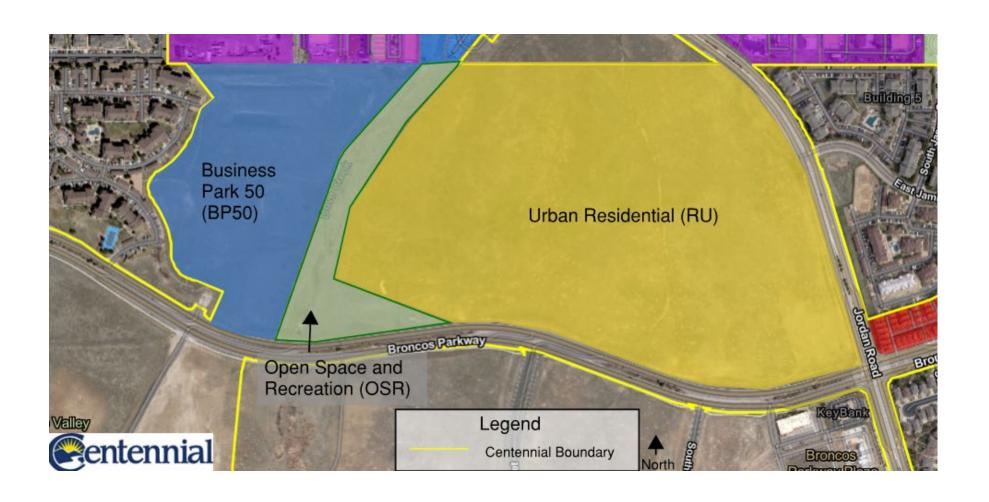
^{*}In the event Planning and Zoning Commission seeks to recommend denial of the rezoning plan, Staff recommends that the Commission consult with the City Attorney prior to making a motion.

9. Attachments:

Attachment 1:

Dove Valley Land, LLC Zoning Map Potomac Park Zoning Map DVRP/CCIC Annexation Map Ordinance No. 2022-O-11 Attachment 2: Attachment 3: Attachment 4: Ordinance No. 2022-O-19 Attachment 5:

> Page 10 of 10 24





THOSE PARCELS DESCRIBED AS "PARCEL A", "PARCEL B", AND "PARCEL D" IN BARGAIN AND SALE DEED RECORDED 1/10/2001 AT RECEPTION NO. B1004672 IN THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE, LESS AND EXCEPT THOSE PORTIONS LYING WITHIN LOT 1, BLOCK 1, DOVE VALLEY III SUBDIVISION FILING NO. 1, RECORDED 12/13/1999 AT RECEPTION NO. A9194182 IN SAID OFFICE, ALSO LESS AND EXCEPT THAT PORTION OF S. JORDAN ROAD DESCRIBED IN WARRANTY DEED RECORDED 9/3/2002 AT RECEPTION NO. B2162846 IN SAID

TOGETHER WITH:

THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED 3/1/1989 IN BOOK 5641 AT PAGE 416 IN SAID OFFICE:

TOGETHER WITH:

LOTS 1-3, BLOCK 3, LOTS 1-4, BLOCK 9, TRACT K AND TRACT L, DOVE VALLEY V, RECORDED 7/16/2003 AT RECEPTION NO. B3160646 IN SAID OFFICE;

TOGETHER WITH:

LOT 1, BLOCK 1, DOVE VALLEY V. FILING NO. 7, RECORDED 12/15/2006 AT RECEPTION NO. B6176351 IN SAID OFFICE:

TOGETHER WITH:

LOT 1, BLOCK 1, AND TRACT A, DOVE VALLEY V - FILING NO. 15, RECORDED 2/26/2019 AT RECEPTION NO. D9016172 IN SAID OFFICE:

THAT PARCEL OF LAND DESCRIBED AS "POND D1 CHANNEL" IN SPECIAL WARRANTY DEED RECORDED 12/31/2001 AT RECEPTION NO. B1227650 IN SAID OFFICE;

TOGETHER WITH THE FOLLOWING PORTIONS OF STREETS OR RIGHTS-OF-WAY:

THOSE PORTIONS OF S. BLACKHAWK STREET SITUATED WITHIN THE NORTHWEST 1/4 OF SAID SECTION 31, AS DESCRIBED IN WARRANTY DEED RECORDED 11/18/1992 IN BOOK 6703 AT

THOSE PORTIONS OF E. BRONCOS PARKWAY SITUATED EAST OF S. POTOMAC STREET AND WEST OF S. JORDAN ROAD AS DESCRIBED IN THE FOLLOWING DOCUMENTS RECORDED IN SAID OFFICE:

- DEED RECORDED 6/26/1985 IN BOOK 4475 AT PAGE 40;
- WARRANTY DEED RECORDED 9/5/1990 IN BOOK 5999 AT PAGE 744;
- WARRANTY DEED RECORDED 7/29/1991 IN BOOK 6216 AT PAGE 233;
- WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054947;
- WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054948;
- WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054949;
- WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054950;
- WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054951; • WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054952;
- WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054953; • WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054954;
- WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054955;
- SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. B5054956;
- WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054958;
- WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054959;

• WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054960; THOSE PORTIONS OF E. BRONCOS PARKWAY AS DEDICATED AND SHOWN ON THE PLAT OF

DOVE VALLEY V, FILING NO. 3 RECORDED 1/14/2005 AT RECEPTION NO. B5006210; THAT PORTION OF E. BRONCOS PARKWAY AND S. POTOMAC STREET AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED 4/19/2005 AT RECEPTION NO. B5054957;

THOSE PORTIONS OF E. BRONCOS PARKWAY SITUATED EAST OF S. JORDAN ROAD IN THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE 6TH P.M. AS DESCRIBED IN THE FOLLOWING DOCUMENTS RECORDED IN SAID OFFICE:

- THE PLAT OF SOUTHCREEK SUBDIVISION FILING NO. 7 RECORDED 9/29/2005 AT RECEPTION NO. B5146538:
- THE PLAT OF SOUTHCREEK SUBDIVISION FILING NO. 8 RECORDED 3/10/2010 AT RECEPTION NO. D0020608;
- SPECIAL WARRANTY DEED RECORDED 12/17/1998 AT RECEPTION NO. A8206706:
- WARRANTY DEED RECORDED 4/8/1999 AT RECEPTION NO. A9058097;
- WARRANTY DEED RECORDED 5/30/2003 AT RECEPTION NO. B3117379;

NOTES:

- 1) THIS ANNEXATION MAP DOES NOT CONSTITUTE A TITLE SEARCH BY FARNSWORTH GROUP, INC. TO DETERMINE OWNERSHIP OF RECORD. FOR ALL INFORMATION REGARDING RIGHTS-OF-WAY, AND TITLE OF RECORD, FARNSWORTH GROUP, INC. RELIED UPON THE PUBLIC RECORDS OF THE ASSESSOR'S OFFICE OF ARAPAHOE COUNTY AND INFORMATION PROVIDED BY THE CITY OF CENTENNIAL. THIS ANNEXATION MAP DOES NOT ADDRESS EASEMENTS.
- 2) THIS MAP DOES NOT CONSTITUTE A LAND SURVEY PLAT OR MONUMENTED LAND SURVEY.
- 3) THE ANNEXATION PARCEL DESCRIBED HEREIN IS THIRTY 30% CONTIGUOUS TO THE PRESENT BOUNDARY OF THE CITY OF CENTENNIAL.
- 4) DRAWING INFORMATION IS FROM THE ARAPAHOE COUNTY QUARTER SECTION MAP OBTAINED ON JULY 12, 2021.

ANNEXATION CALCULATIONS

(BASED ON PLATS AND DEEDS)

TOTAL PERIMETER: 28,633 FEET +/-CONTIGUOUS BOUNDARY: 8,620 FEET +/-REQUIRED CONTIGUITY (1/6): 4,772 FEET +/-

TOTAL AREA TO BE ANNEXED:

274.025 ACRES +/-

LEGEND

PROPOSED ANNEXATION BOUNDARY BOUNDARY CONTIGUOUS WITH EXISTING CITY BOUNDARY

ASSESSOR BLOCK NUMBER 2 PLATTED LOT NUMBER

3 PLATTED BLOCK NUMBER

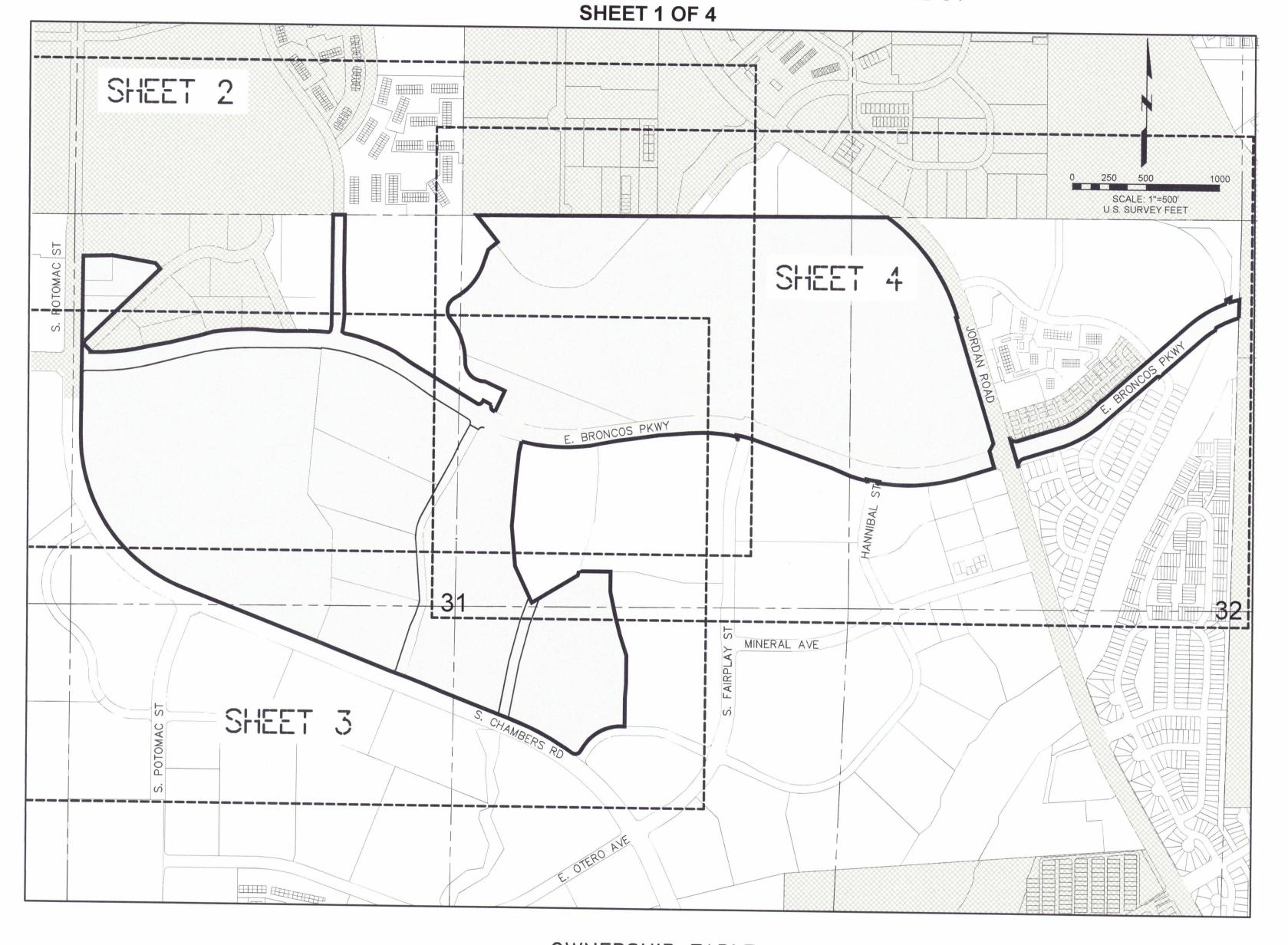
001 ASSESSOR PARCEL NUMBER

EXISTING CITY OF CENTENNIAL

DVRP/CCIC ANNEXATION

CITY OF CENTENNIAL

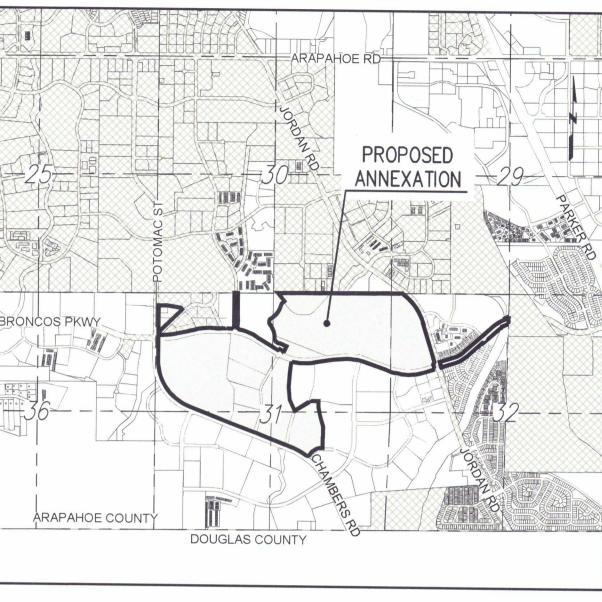
LYING IN SECTIONS 31 & 32, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO.



OWNERSHIP TABLE

PARCEL	ASSESSOR'S PARCEL NUMBER	OWNER (AS OF JULY 15, 2021)
UNPLATTED PARCELS A, B, AND D OF REC. NO. B1004672	2073-31-1-00-008 2073-31-1-00-014 2073-31-1-00-015 2073-32-2-00-023	DOVE VALLEY LAND, LLC 950 S. CHERRY STREET, #1100 DENVER, CO 80246 (REC. NO. B1004672)
STREETS AND RIGHT-OF-WAYS AS SHOWN, AND LOTS 1-4, BLOCK 9, AND TRACTS K AND L, DOVE VALLEY V (REC. NO. B3160646), PORTIONS OF SOUTHCREEK SUBDIVISION FILING NO. 7 (REC. NO. B5146538), SOUTHCREEK SUBDIVISION FILING NO. 8 (REC. NO. D0020608) AND UNPLATTED PARCEL OF BOOK 5641, PAGE 416 (SEE MAP GRAPHIC FOR SPECIFIC PARCEL INFORMATION)	2073-31-3-04-001 2073-31-3-04-002 2073-31-2-06-001 2073-31-2-06-002 2073-31-2-06-005 2073-31-2-07-001 2073-31-2-00-025	ARAPAHOE COUNTY 5334 S. PRINCE STREET LITTLETON, CO 80166 (REC. NO.'S A8206706, A9058097, B3117379, B7147244, B8075561, D5005296, D5005297, AND BOOK 5641, PAGE 416)
LOT 1, BLOCK 1, AND TRACT A, DOVE VALLEY V, FILING NO. 15 (REC. NO. D9016172) LOT 1, BLOCK 1, DOVE VALLEY V, FILING NO. 7 (REC. NO. B6176351)	2073-31-1-05-001 2073-31-1-05-002 2073-31-4-06-001	CHERRY CREEK SCHOOL DISTRICT NO. 5 4700 S. YOSEMITE STREET GREENWOOD VILLAGE, CO 80111 (REC. NO. D7091378 AND D9016172)
UNPLATTED PARCEL POND D1 CHANNEL (REC. NO. B1227650)	2073-31-4-00-005	SOUTHEAST METRO STORMWATER AUTHORITY 76 INVERNESS DRIVE EAST, SUITE A ENGLEWOOD, CO 80112 (REC. NO. B1227650)
LOTS 1-3, BLOCK 3, DOVE VALLEY V (REC. NO. B3160646)	2073-31-2-02-001 2073-31-2-02-002 2073-31-2-02-003	GOLABEK, SLAWOMIR 6186 S. NETHERLAND CIR. CENTENNIAL, CO 80016 (REC. NO. D8068011

VICINITY MAP



SURVEYOR'S CERTIFICATE:

I, DAVID C. DIFULVIO, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE MAP HEREON IS A GRAPHICAL REPRESENTATION OF THE ABOVE DESCRIBED PARCEL OF LAND AND THAT GREATER THAN ONE SIXTH (1/6) OF THE ANNEXATION BOUNDARY OF SAID PARCEL IS CONTIGUOUS TO THE PRESENT BOUNDARY OF THE CITY OF CENTENNIAL.

FOR AND ON BEHALF OF FARNSWORTH GROUP, INC. DAVID C. DIFULVIO, P.L.S. NO. 16401

CITY OF CENTENNIAL APPROVALS:

ORADO LICEN

CITY	MAYOR			 DATE:
CITY	COUNCIL	ORDINANCE	NO.	 DATE:
CITY	CLERK			 DATE:

FILING CERTIFICATION

THIS MAP WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ARAPAHOE COUNTY AT (A.M./P.M.) ON THE DAY OF A.D., 20 IN BOOK, PAGE, RECEPTION No
COUNTY CLERK AND RECORDER

BY	
DEPUTY	



DVRP/CCIC ANNEXATION TO THE CITY OF CENTENNIAL ARAPAHOE COUNTY, COLORADO SECTIONS 31 AND 32, T5S, R66W, 6TH P.M.

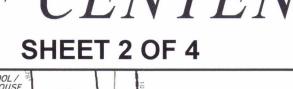
Drawn: CCP Date: 12/6/2021 Book No.: Sheet No.: 1 OF 4 Field: N/A Checked.: DCD Project No.: 0210067.02

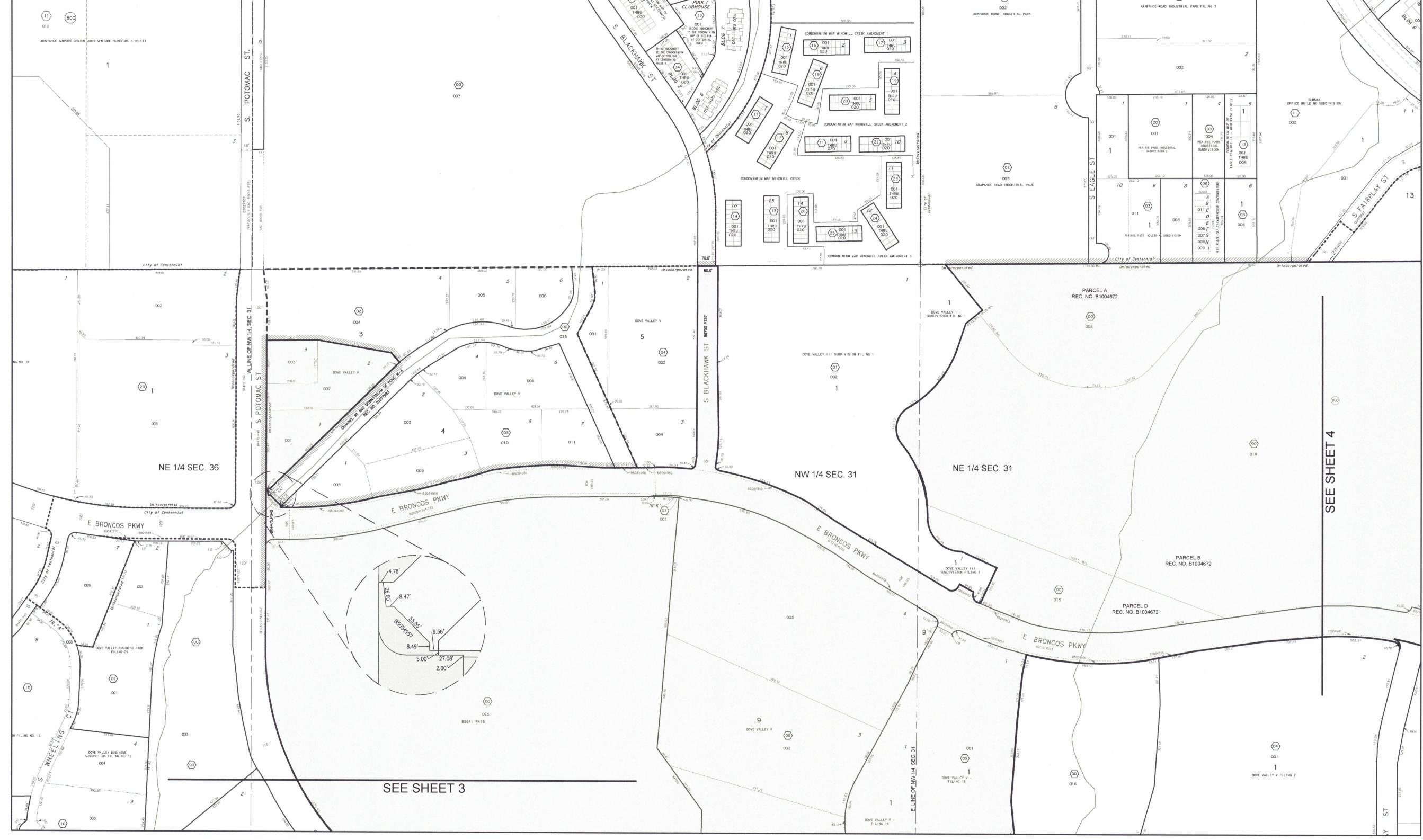
13 of 24

DVRP/CCIC ANNEXATION

TO THE

CITY OF CENTENNIAL







PROPOSED ANNEXATION BOUNDARY

BOUNDARY CONTIGUOUS WITH

TITITITIE EXISTING CITY BOUNDARY

(01) ASSESSOR BLOCK NUMBER

2 PLATTED LOT NUMBER

3 PLATTED BLOCK NUMBER

001 ASSESSOR PARCEL NUMBER



Farnsworth
5613 DTC PARKWAY, SUITE 1100 GREENWOOD VILLAGE, COLORADO 80111 (303) 692-8838 / info@f-w.com

DVRP/CCIC ANNEXATION
TO THE CITY OF CENTENNIAL
ARAPAHOE COUNTY, COLORADO
SECTIONS 31 AND 32,
T5S, R66W, 6TH P.M.

SCALE: 1"=200' U.S. SURVEY FEET

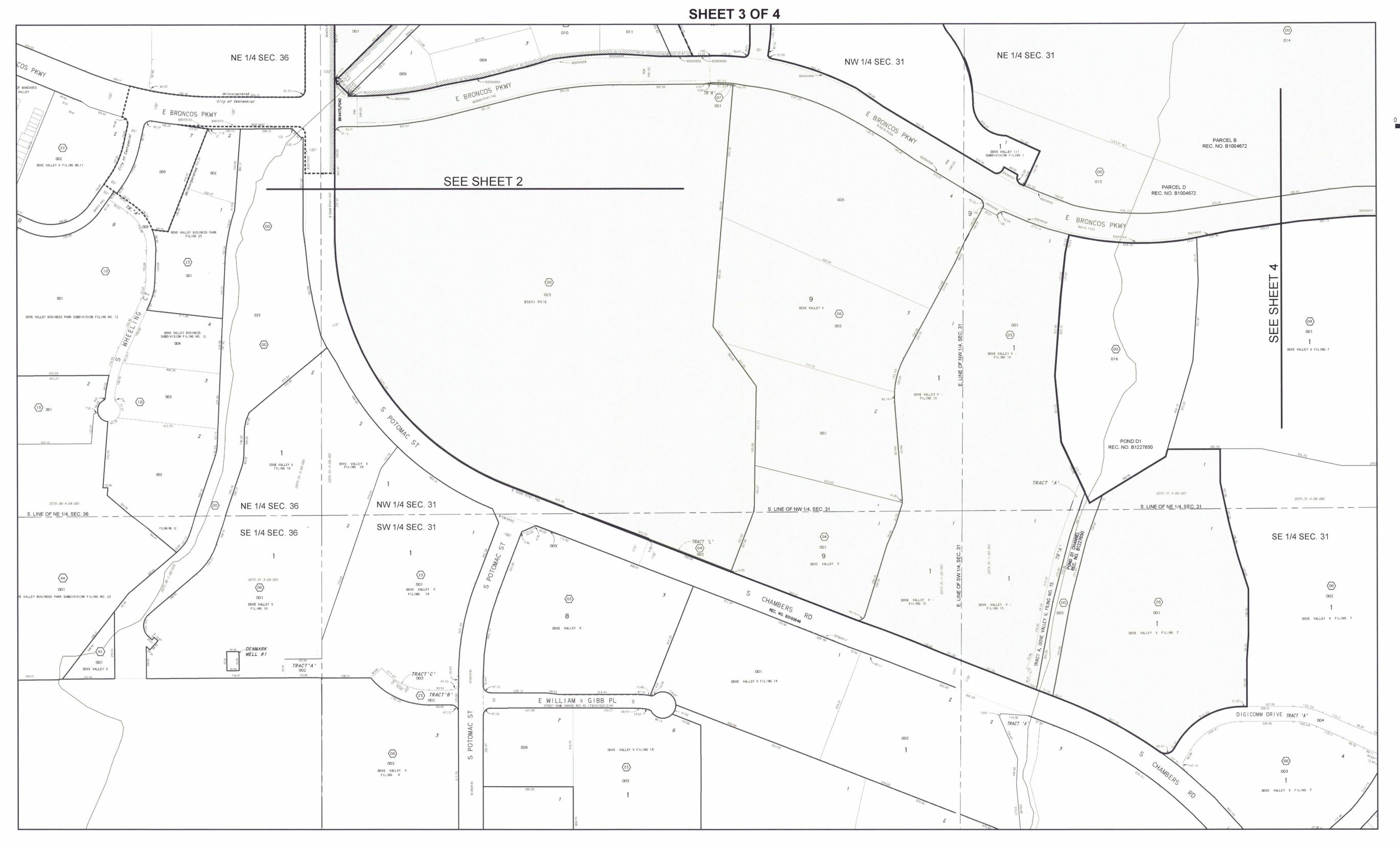
rawn: CCP	Date: 12/6/2021	Воо
ield: N/A	Checked.: DCD	Pro

1	Book No.:	Sheet No.: 2	OF	4	
)	Project No.:	0210067.02			

14 of 24

DVRP/CCIC ANNEXATION

CITY OF CENTENNIAL



LEGEND

PROPOSED ANNEXATION BOUNDARY

EXISTING CITY BOUNDARY

BOUNDARY CONTIGUOUS WITH

ASSESSOR BLOCK NUMBER

2 PLATTED LOT NUMBER

3 PLATTED BLOCK NUMBER

001 ASSESSOR PARCEL NUMBER





DVRP/CCIC ANNEXATION TO THE CITY OF CENTENNIAL ARAPAHOE COUNTY, COLORADO SECTIONS 31 AND 32, T5S, R66W, 6TH P.M.

SCALE: 1"=200' U.S. SURVEY FEET

Checked.: DCD Field: N/A

Book No.: Sheet No.: 3 OF 4 Date: 12/6/2021 Project No.: 0210067.02

29

DVRP/CCIC ANNEXATION

TO THE

CITY OF CENTENNIAL

SHEET 4 OF 4



LEGEND

PROPOSED ANNEXATION BOUNDARY

TITITITI EXISTING CITY BOUNDARY

(01) ASSESSOR BLOCK NUMBER

BOUNDARY CONTIGUOUS WITH

2 PLATTED LOT NUMBER 3 PLATTED BLOCK NUMBER

001 ASSESSOR PARCEL NUMBER



Farnsworth
5613 DTC PARKWAY, SUITE 1100 GREENWOOD VILLAGE, COLORADO 80111 (303) 692-8838 / info@f-w.com

DVRP/CCIC ANNEXATION

Drawn: CCP	Date: 12/6/2021
Field: N/A	Checked.: DCD

TO THE CITY OF CENTENNIAL ARAPAHOE COUNTY, COLORADO SECTIONS 31 AND 32, T5S, R66W, 6TH P.M.

Book No.: Sheet No.: 4 OF 4 Project No.: 0210067.02

SCALE: 1"=200' U.S. SURVEY FEET

CITY OF CENTENNIAL, COLORADO

ORDINANCE NO. 2022-O-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO APPROVING INITIAL ZONING OF PROPERTY WITHIN THE DOVE VALLEY REGIONAL PARK/CHERRY CREEK INNOVATION CAMPUS ANNEXATION, KNOWN AS THE DOVE VALLEY LAND PROPERTY, FROM ARAPAHOE COUNTY MIXED USE TO CITY OF CENTENNIAL URBAN RESIDENTIAL (RU), PUBLIC OPEN SPACE AND RECREATION (OSR) AND BUSINESS PARK 50 (BP₅₀) UNDER THE LAND DEVELOPMENT CODE, AMENDING THE OFFICIAL ZONING MAP, AND DECLARING AN EMERGENCY (CZONE-22-00005, CZONE-22-00006, CZONE-22-00007)

WHEREAS, on April 18, 2022, following the conclusion of a duly noticed public hearing, the City Council of the City of Centennial adopted Ordinance No. 2022-O-06 ("Annexation Ordinance") annexing certain property known as the "Dove Valley Regional Park/Cherry Creek Innovation Campus Annexation ("DVRP/CCIC Annexation") into the City of Centennial; and

WHEREAS, a portion of the land annexed in the DVRP/CCIC Annexation is owned by Dove Valley Land, LLC (such property shall be referred to herein as the "DVL Property"); and

WHEREAS, the legal description of the DVL Property is:

All those Parcels of Land Lying in Sections 31 & 32, Township 5 South, Range 66 West of the 6th Principal Meridian, County of Arapahoe, State of Colorado, described as follows:

THOSE PARCELS DESCRIBED AS "PARCEL A", "PARCEL B", AND "PARCEL D" IN BARGAIN AND SALE DEED RECORDED 1/10/2001 AT RECEPTION NO. B1004672 IN THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE, LESS AND EXCEPT THOSE PORTIONS LYING WITHIN LOT 1, BLOCK 1, DOVE VALLEY III SUBDIVISION FILING NO. 1, RECORDED 12/13/1999 AT RECEPTION NO. A9194182 IN SAID OFFICE, ALSO LESS AND EXCEPT THAT PORTION OF S. JORDAN ROAD DESCRIBED IN WARRANTY DEED RECORDED 9/3/2002 AT RECEPTION NO. B2162846 IN SAID OFFICE; and

WHEREAS, as required by C.R.S. § 31-12-115(2) and applicable provisions of the City's Land Development Code (the "LDC"), property annexed to the City must be zoned pursuant to the City's zoning regulations within ninety (90) days after the effective date of the Annexation Ordinance; and

WHEREAS, the City of Centennial Planning and Zoning Commission considered the proposed initial zoning of the DVL Property at a duly noticed public hearing held on July 13, 2022, and subsequently forwarded its recommendation concerning initial zoning to City Council; and

WHEREAS, public notice has been properly given of such proposed initial zoning of the DVL Property by publication, in *The Centennial Citizen*, a newspaper of general circulation within

the City of Centennial, and by mail notification of adjacent property owners in accordance with the applicable provisions of the LDC; and

WHEREAS, in accordance with the LDC, a public hearing was held before the City Council at 13133 E. Arapahoe Road, Centennial at which time evidence and testimony were presented to the City Council concerning the initial zoning of the DVL Property into three (3) separate City zone districts under the LDC, specifically Urban Residential (RU), Public Open Space and Recreation (OSR) and Business Park 50 (BP₅₀); and

WHEREAS, the record for this case includes, but is not limited to, the LDC, the City of Centennial Comprehensive Plan, and all other applicable laws, ordinances, resolutions and regulations, together with all City of Centennial policies that relate to the subject matter of the public hearing, reports, studies and all other submittals of the property owner(s), any evidence or correspondence submitted by members of the public at the public hearing, and the staff files and reports of the Community Development Department pertaining to this application; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., as amended, City Council has determined that the proposed zoning of the DVL Property to Urban Residential (RU), Public Open Space and Recreation (OSR) and Business Park 50 (BP $_{50}$) would further the public health, safety, convenience and general welfare of the community; would generally conform with the City's Comprehensive Plan; and would otherwise meet the applicable criteria set forth in the LDC; and

WHEREAS, approval of this Ordinance on *first reading* is intended <u>only</u> to confirm that the City Council desires to comply with state law and the LDC by setting a public hearing in order to provide the owner of the DVL Property and the public an opportunity to present testimony and evidence regarding the application. Approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects, or denies the proposed initial zoning.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, ORDAINS:

Section 1. Recitals Incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

<u>Section 2.</u> <u>Initial Zoning of the DVL Property Approved.</u> The City Council hereby approves initial zoning of the DVL Property into three (3) separate zone districts as more specifically set forth as follows:

- Parcel C (CZONE-22-00005) legally described as [TBD prior to City Council consideration] shall be initially zoned as Urban Residential (RU)
- Parcel B (CZONE-22-00006) legally described as [TBD prior to City Council consideration]] shall be initially zoned as Public Open Space and Recreation (OSR).
- Parcel A (CZONE-22-00007) legally described as [TBD prior to City Council consideration] shall be initially zoned as Business Park 50 (BP₅₀).

Section 3. Amendment of Zoning Map. The Official Zoning Map of the City of Centennial shall be amended to conform to and reflect the three (3) separate zoning designations of the DVL Property as set forth in Section 2 of this Ordinance. The Community Development Department is directed to revise the zoning of the DVL Property on the City's Official Zoning Map and to make any technical corrections to the Official Zoning Map necessitated by the initial zoning of the DVL Property as established by this Ordinance.

<u>Section 4.</u> <u>Severability.</u> Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. Emergency Declared; Effective Date. The City Council hereby legislatively declares that the passage of this Ordinance is necessary for the immediate preservation of the public peace, health or safety. Upon passage by a supermajority of City Council members in office as required by Section 7.6 of the Centennial Home Rule Charter (¾ of all members in office or 7 or more votes of the 9 member Council), this Ordinance shall become effective immediately upon adoption.

INTRODUCED, READ, ANI THE CITY OF CENTENNIAL, COL			
AND PASSED AT ITS REGULAR N			*
	CITY OF CE	NTENNIAL	

	CITY OF CENTENNIAL
Approved as to Form:	By:Stephanie Piko, Mayor
For City Attorney's Office	
Centennial at its meeting of, 20	ce was introduced to the City Council of the City of 022 and ordered published one time by title only in, 2022, and in full on the City web site in ipal Code.

	ATTEST:
SEAL	
	By: City Clerk or Deputy City Clerk
ORDERED PUBLISHED BY TITLE ON AND IN FULL ON THE CITY WEB SIT THE MUNICIPAL CODE BY THE CIT COLORADO, UPON A MOTION DUI	APPROVED WITH AMENDMENTS, IF ANY, AND LY, IN <i>THE CENTENNIAL CITIZEN</i> NEWSPAPER IN ACCORDANCE WITH SECTION 2-1-110 OF TY COUNCIL OF THE CITY OF CENTENNIAL LY MADE, SECONDED AND PASSED AT ITS F, 2022, BY A VOTE OF IN
	CITY OF CENTENNIAL
	By:Stephanie Piko, Mayor
I hereby certify that the above Ord City of Centennial at its meeting of one time by <i>The Centennial Citizen</i> newsp City web site in accordance with Section 2	inance was finally adopted by the City Council of the, 2022, and ordered published by title only paper on, 2022 and in full on the
SEAL	ATTEST:
	By:City Clerk or Deputy City Clerk

CITY OF CENTENNIAL, COLORADO

ORDINANCE NO. 2022-O-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO REZONING CERTAIN PROPERTY LOCATED SOUTH OF EAST FREMONT AVENUE, WEST OF SOUTH BLACKHAWK STREET, EAST OF SOUTH POTOMAC STREET, AND NORTH OF EAST BRONCOS PARKWAY FROM PUBLIC OPEN SPACE AND RECREATION (OSR) TO BUSINESS PARK 50 (BP₅₀) UNDER THE LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP (CASE NO. CZONE-22-00008)

WHEREAS, the City of Centennial (the "Owner" and the "Applicant") initiated the rezoning of the Potomac Park Property consisting of approximately 44 acres, more or less, which is located south of East Fremont Avenue, west of South Blackhawk Street, east of South Potomac Street, and north of East Broncos Parkway in the City of Centennial (the "Property") from Public Open Space and Recreation (OSR) to Business Park 50 (BP₅₀) under the Land Development Code ("LDC") (Case No. CZONE-22-00008); and

WHEREAS, the Property is legally described as follows:

Part Of Sw 1/4 Sec 30-5-66 & Vac St Adj On W Desc As Beg At Sw Cor Sw 1/4 Th N 467.45 Ft Th E 45.53 Ft Th N 701.71 Ft Th E 320.77 Ft Th Alg Curve Left 573.38 Ft Th Ne 357.87 Ft Th Alg Curve Left 540.68 Ft Th Se 467.35 Ft Th Alg Curve Rt 422.21 Ft Th S 196.96 Ft To S Line Sw 1/4 Th W 1762 Ft To Beg Ex Roads Sec 30-5-66; and

WHEREAS, the City of Centennial Planning and Zoning Commission considered the zoning proposal at a duly noticed public hearing conducted on July 13, 2022, and forwarded its favorable recommendation to City Council; and

WHEREAS, public notice has been properly given of the proposed zoning of the Property by publication in *The Centennial Citizen*, a newspaper of general circulation within the City of Centennial, by posting of said Property and by mail notification of adjacent property owners in accordance with the applicable provisions of the LDC; and

WHEREAS, in accordance with the LDC, a public hearing was held before the City Council at the Centennial Civic Center, 13133 E. Arapahoe Road, Centennial, Colorado at which time evidence and testimony were presented to the City Council concerning said zoning proposal; and

WHEREAS, the administrative record for this case includes, but is not limited to, the LDC, the City of Centennial Comprehensive Plan, and all other applicable ordinances, resolutions and regulations, together with all City of Centennial land use application processing policies that relate to the subject matter of the public hearing, reports, studies and all other submittals of the Applicant, the Owner, or the Applicant's or Owner's designated representative(s), as applicable, any evidence or correspondence submitted by members of the public at the public hearing, and the staff files and reports of the Community Development Department pertaining to this rezoning; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., as amended, City Council has determined that the proposed zoning of the Property, subject to any conditions set forth herein, furthers the public health, safety, convenience and general welfare of the community; generally conforms with the City's Comprehensive Plan, as amended and updated; is compatible with surrounding uses; and otherwise meets the applicable criteria set forth in the LDC; and

WHEREAS, approval of this Ordinance on first reading is intended <u>only</u> to confirm that the City Council desires to comply with state law and the LDC by setting a public hearing in order to provide the Applicant, the Owner and the public an opportunity to present testimony and evidence regarding the zoning application. Approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects, or denies the proposed zoning.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTENNIAL, COLORADO:

- **Section 1. Recitals Incorporated.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.
- Section 2. Zoning of Property Approved. The City Council hereby grants and approves rezoning of the Property from Public Open Space and Recreation (OSR) to Business Park 50 (BP₅₀) under the LDC. Following the effective date of this Ordinance, the Property shall be zoned Business Park 50 (BP₅₀) under the LDC.
- <u>Section 3.</u> <u>Amendment of Zoning Map.</u> The Official Zoning Map of the City of Centennial shall be amended following the effective date of this Ordinance to conform to and reflect the Property's Business Park (BP₅₀) zone district classification. The Community Development Department is instructed to record this rezoning (Case No. CZONE-22-00008) in the real property records of Arapahoe County, Colorado.
- <u>Section 4.</u> <u>Severability.</u> Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.
- Section 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.
- **Section 6. Effective Date.** Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED THE CITY OF CENTENNIAL, COLORADO, UPO AND PASSED AT ITS REGULAR MEETING HE	
	CITY OF CENTENNIAL
Approved as to Form:	By:Stephanie Piko, Mayor
For City Attorney's Office	
I hereby certify that the above Ordinance was Centennial at its meeting of, 2022 at The Centennial Citizen newspaper on accordance with Section 2-1-110 of the Municipal C	, 2022, and in full on the City web site in
SEAL	ATTEST:
	By:City Clerk or Deputy City Clerk
FINALLY ADOPTED, PASSED, APPROVORDERED PUBLISHED BY TITLE ONLY, IN AND IN FULL ON THE CITY WEB SITE IN ACTHE MUNICIPAL CODE BY THE CITY COUCOLORADO, UPON A MOTION DULY MAIMEETING HELD ON THE DAY OF FAVOR AND AGAINST.	CCORDANCE WITH SECTION 2-1-110 OF INCIL OF THE CITY OF CENTENNIAL, DE, SECONDED AND PASSED AT ITS
	CITY OF CENTENNIAL
I hereby certify that the above Ordinance w	By: Stephanie Piko, Mayor ras finally adopted by the City Council of the
City of Centennial at its meeting of	

Page 4 of 4	
one time by <i>The Centennial Citizen</i> newspaper on City web site in accordance with Section 2-1-110 of	
SEAL	ATTEST:
	By:City Clerk or Deputy City Clerk

City of Centennial Ordinance No. 2022-O-19



Staff Report

TO: Planning and Zoning Commission

THROUGH: Michael Gradis, AICP, Principal Planner

FROM: Jenny Houlne, Deputy Community Development Director

Melanie Ward, Manager – Development Foresight and Infrastructure

Readiness

MEETING DATE: July 13, 2022

SUBJECT: Housing Study and Policy Development Update

1. Executive Summary:

The purpose of this presentation is to provide a framework for evaluating the strategies that will be explored throughout the Housing Study and Policy Development project. First, Planning and Zoning Commission will be invited to provide feedback about the proposed Housing Strategy Review Criteria that will be used to evaluate all nine (9) strategies on equal footing. Second, the project team will provide an example of the proposed Housing Strategy Review Criteria in action with an evaluation of Accessory Dwelling Units (ADUs) and Inclusionary Zoning. Planning and Zoning Commission will be invited to provide feedback on these strategies and raise any additional questions. Planning and Zoning Commission will not be asked to make a policy recommendation during this presentation. Additional strategies will be addressed at future presentations.

2. Recommendation:

The following criteria are proposed to be used when evaluating each of the nine (9) Housing Strategies under consideration. The criteria are intended to allow analysis and guide prioritization across the diverse array of strategies. The proposed criteria are recommended by Staff and the Housing Working Group.

- Centennial NEXT Implementation Does this strategy support the plan?
- Technical Feasibility Can the City administer this strategy within existing processes, or will a specialized process be needed?
- Administrative Feasibility Can the City administer this strategy with existing staff or will specialized staff be needed?
- Diversity and Equity Considerations Does this strategy support a diverse and equitable community?
- Impact Will implementing this strategy make a difference?
- Effectiveness How much of an improvement will this strategy make?
- Cost What are the anticipated costs of implementing the strategy? What are the anticipated costs of not implementing the strategy?

3. Background:

This presentation is part of the Housing Study and Policy Development project, which received funding through the Colorado Department of Local Affairs' Planning Grant Program.

Background information about Accessory Dwelling Units (ADUs) is included as Attachment 1. Background information about Inclusionary Zoning is included as Attachment 2.

4. Alternatives:

Planning and Zoning Commission may recommend changes to the proposed Housing Strategy Review Criteria.

5. Fiscal Impact:

No fiscal impact is anticipated at this time.

6. Next Steps:

A joint meeting with City Council and Planning and Zoning Commission is scheduled for August 17 to review additional strategies. In the meantime, City Staff will continue seeking public feedback at City Signature Events, at a dedicated Housing Workshop the evening of August 9, and virtually through the project website.

7. Previous Actions:

May 9, 2022 Joint Work Session – Council and Planning and Zoning Commission held a joint work session to meet the project consulting team and review the project scope and timeline.

June 8, 2022 Study Session – Planning and Zoning Commission received an update concerning initial data collected for the Housing Needs Assessment.

8. Attachments:

Attachment 1: Department of Local Affairs Accessory Dwelling Unit Fact Sheet

Attachment 2: Department of Local Affairs Inclusionary Zoning Fact Sheet

40 Page 2 of 2



HB21-1271 Qualifying Strategy Guidance Fact Sheet

ADUs as a Use by Right

From DOLA's Innovative Affordable Housing Development Incentives Grant Program Guidelines, list of qualifying strategies:

10. Authorizing accessory dwelling units as a use by right on parcels in single family zoning districts that meet the safety and infrastructure capacity considerations of local governments

Overview. Accessory dwelling units (ADUs) are smaller, secondary dwelling units that are independent from the primary home but located on the same lot. ADUs can be detached, attached, or internal to the primary dwelling. For renters, ADUs often represent lower-cost options in neighborhoods that might otherwise be unaffordable. For owners of the primary unit, ADUs can help supplement income and service mortgage debt. For jurisdictions, ADUs represent a low-cost way to produce units, increase the diversity of housing in the community, and increase density without needing to expand infrastructure systems (e.g., water, sewer, sidewalks).

Impact. Allowing ADUs as by-right development can provide multiple benefits to homeowners and the community. Homeowners are able to benefit from a new revenue stream while more naturally affordable housing options are available for renters. ADUs make efficient use of land without the need to add new infrastructure and have minimal to no impact on neighborhood character. ADUs also allow for older homeowners to age in place and provide options for multigenerational households to live together without overcrowding. Catalyze this type of development by allowing ADUs by-right, eliminating zoning and permitting barriers, and providing assistance for interested homeowners with design, development, permitting processes, and financing.

Programs with the strongest outcomes to date share similar conditions:

- Allow all ADU types by-right;
- Eliminate zoning requirements that inhibit ADU development (e.g., eliminating owner-occupancy requirements, minimum lot size, minimum parking requirements);
- Provide financial assistance or development incentives, including waiving permitting and development fees and offering zero-interest loans; and
- Provide services to help homeowners through the design and development process.

Implementation considerations. For communities pursuing the ADU strategy, the following basic steps should be considered:

Assess need and capacity. ADUs should be tied to the goals and policies of a community's housing needs assessment and comprehensive plan. In defining the program purpose, it's best to ask:

1) How much capacity do we currently have to add ADUs?

- 2) What land use or zoning barriers currently exist that will impede their development?
- 3) Does our program serve the entire city/county or a particular segment (based on income, neighborhood needs) of the community?
- 4) What criteria need to be in place to ensure this policy benefits permanent residents?

Define program criteria. In crafting the strategy, the community must determine:

- Zoning regulations that inhibit development (common regulations include minimum lot size, owner-occupancy, design compatibility, minimum parking requirements).
- If the jurisdiction will provide financial assistance. Types of assistance include expedited permit review, waiving development fees, and property tax assessment. Consider tying assistance to homeowners who rent their units to individuals or families at a certain AMI.
- The need to add or refine regulations to allow for garage and basement conversions, as well as processes to allow illegal ADUs to come into compliance.
- If a subsidy is provided to homeowners to build ADU for renters at a certain AMI level, how the program would be managed and monitored to ensure compliance.

Advantages and challenges. Potential advantages of an ADU strategy include:

- Diversifying existing housing stock and increasing density;
- Providing more naturally affordable housing options while maintaining neighborhood character and not requiring new infrastructure;
- Allowing older residents to age in place, allowing for multigenerational living; and
- Providing a new source of revenue for homeowners.

Potential challenges of implementing ADUs include:

- Zoning restrictions and neighborhood resistance;
- Lack of financing options for homeowners;
- While there might be a large amount of capacity for ADUs, wholesale development of ADUs can be limited by homeowner's interest, as well as the suitability of their lot; and
- Homeowner unfamiliarity with permitting and development processes.

Examples from other Colorado communities who have adopted ADUs.

- City of Colorado Springs
- Mesa County
- Town of Mt. Crested Butte

Additional resources. Information for this factsheet gathered from *Local Housing Solutions* and *Accessory Dwellings* websites. Additional resources to support development and implementation of the strategy are available here, here, and here, and here.



HB21-1271 Qualifying Strategy Guidance Fact Sheet

Inclusionary Zoning

From DOLA's Innovative Affordable Housing Development Incentives Grant Program Guidelines, list of qualifying strategies:

15. An inclusionary zoning ordinance (per CRS 29-20-104(1)).

Overview. Inclusionary zoning (IZ) policies provide for the development of dedicated affordable housing units for low and moderate income households in market rate housing. IZ programs generally stipulate that developers must either rent or sell a certain proportion of the units to households at specified AMIs. Some IZ programs help offset the cost of supplying affordable units by providing incentives (i.e., density bonuses, fee waivers, reduced parking requirements). The effectiveness of inclusionary housing policies depends on development volume, housing market conditions, and key aspects of program design.

Impact. Inclusionary zoning policies have the greatest impact in communities with a high volume of residential development.

Programs with the strongest unit-production outcomes to date share similar conditions:

- IZ program is mandatory;
- Program offers incentives, such as expedited development review, fee waivers, density bonus, parking reductions, or other zoning variances;
- Allows developers flexibility in compliance in certain circumstances, such as partnering with an affordable housing provider to satisfy the IZ obligation or building off-site affordable units;
- Has an effective compliance mechanism and ability for eligible households to apply for units as they become available; and
- Requires long-term affordability.

Implementation considerations. For communities pursuing an inclusionary zoning program, the following basic steps should be considered:

Compliance with Colorado state law. The Colorado legislature passed HB-1117 in 2021 that allows communities to impose inclusionary zoning for rentals under certain conditions https://leg.colorado.gov/bills/hb21-1117.

Current housing market conditions and local capacity. IZ policies are not likely to be successful in communities experiencing minimal or no growth. In growing smaller communities, capacity to administer the program should be assessed to ensure the effort is worth the return (e.g. number of affordable units produced). In both cases, it may be a more effective policy to adopt an IZ structure that encourages payment of a fee-in-lieu that can be used by jurisdictions and affordable housing partners for unit production.

Analyze economic feasibility of the policy. An economic feasibility study should inform the policy structure including unit contribution, AMI levels, development size threshold, value of cost offset incentive, and affordability period.

Define program criteria. In crafting the strategy, the community must determine:

- Whether the program will be mandatory or voluntary;
- Options for compliance (e.g., paying linkage fee or offsite affordable housing units);
- Whether the policy applies to rental units, homes for purchase, or both;
- Minimum project threshold that triggers IZ requirements (e.g., project size in terms of number of units, new total floor area, rehabilitation or conversion of non-residential buildings to residential);
- Percentage of affordable units required in the development (e.g., between 10-20%, based on project size; sliding scales to reach lower levels of AMIs);
- Affordability targets. These targets should be informed by the economic feasibility study. Many policies are targeted at 60-80% AMI renters and 80-120% AMI homeowners;
- Length of time affordable units must remain affordable (most IZ programs require units to remain affordable for at least 30 years);
- Common offsets available include density bonuses, zoning variances, and reduction in parking requirements;
- Whether IZ policy is applied to entire community or specific neighborhoods/areas; and
- How the program would be administered and monitored.

Advantages and challenges. Potential advantages of an inclusionary zoning policy include:

- Diversifying existing housing stock and providing affordable housing in a growing market.
- Encouraging affordable housing development in low poverty and high opportunity areas.
- Enhancing economic and racial integration. Guidance on how to incorporate racial equity into inclusionary housing programs can be found here.
- Leveraging private dollars over public dollars.

Potential challenges of implementing a density bonus strategy include:

- Potential controversy/opposition (e.g., pushback against public sector regulating private development).
- Administration/capacity to monitor development compliance with policy.
- Burden on development (e.g., developers might stop building if program design is not in sync with the housing market or responsive to developer needs).

■ Income targeting (e.g., potential pushback from affordable housing advocates on program not targeting very low income households).

Examples from other Colorado communities who have adopted inclusionary zoning policies.

- City of Longmont
- City of Glenwood Springs
- Town of Basalt
- Town of Carbondale (Section 5.11)
- Town of Mt. Crested Butte

Additional resources. Information for this factsheet gathered from Local Housing Solutions and Grounded Solutions Network. Additional resources to support development and implementation of the strategy are available here, and here, and here, and here.